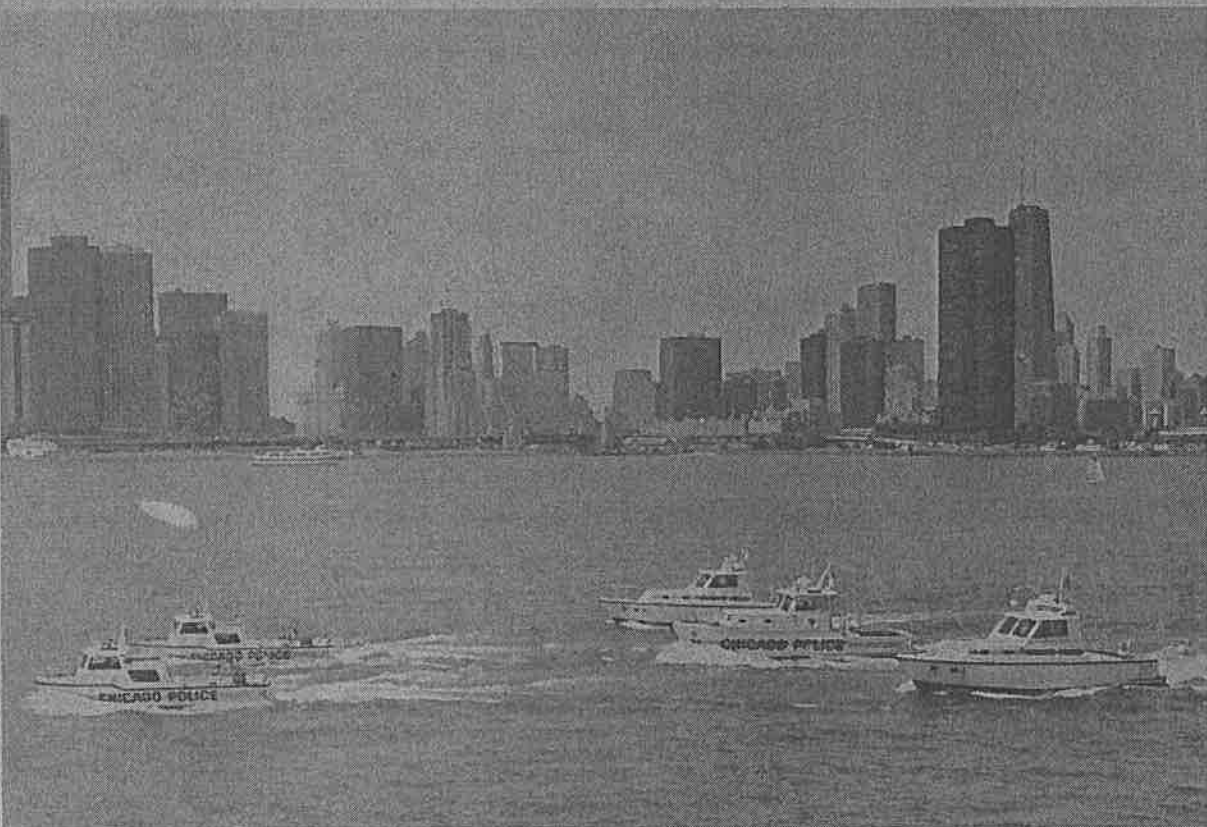


GROUP APPENDIX 1

CHICAGO POLICE DEPARTMENT

ANNUAL REPORT 1989



LE ROY MARTIN
Superintendent of Police



RICHARD M. DALEY
Mayor, City of Chicago

TYPES OF DATA PRESENTED

The tabulations and graphs which follow give data on crimes reported, on arrest
and other results of police information.

The basis of reporting the data is the 12-month calendar year.

12 - MONTH YEAR (1 January through 31 December 1989)

The 12 - Month calendar year (365) days is used where the data relates to the Federal Bureau of
Investigation, Illinois Uniform Crime Reporting, City of Chicago and certain other reports.

1. I-UCR Part 1 Offenses By Type - Offenses and Clearances

OFFENSES	NUMBER	CLEARANCES * NUMBER	PERCENT CLEARED
Murder	742	540	72.8
Involuntary Manslaughter	10	10	100.0
Criminal Sexual Assault - Total	3,645	2,270	62.3
Attempt Criminal Sexual Assault	428	247	57.7
Criminal Sexual Assault	3,217	2,023	62.9
Robbery - Total	31,588	6,567	20.8
Armed Robbery	15,852	2,929	18.5
Strong Armed Robbery	15,736	3,638	23.1
Aggravated Assault - Total	37,615	22,581	60.0
Burglary - Total	51,580	6,628	12.8
Forcible Entry	38,635	4,708	12.2
Unlawful Entry	8,848	1,306	14.8
Attempt, Forcible Entry	4,097	614	15.0
Theft	130,153	32,057	24.6
Motor Vehicle Theft	45,898	7,319	15.9
Arson	2,558	393	15.4
TOTAL OFFENSES	303,789	78,365	25.8

*Solution of crime. One arrest, death or other event may result in one or more clearances.

2. All Arrests and Citations

NON-TRAFFIC VIOLATIONS ARRESTS	NUMBER	PERCENT
Murder	865	0.3
Criminal Sexual Assault	764	0.3
Aggravated Assault	10,307	3.7
Robbery	5,027	1.8
Burglary	8,262	3.0
Theft	40,760	14.7
Motor Vehicle Theft	8,868	3.2
Arson	221	0.1
Other Non-Traffic Arrests	201,838	72.9
TOTAL NON-TRAFFIC ARRESTS	276,912	100.0
Traffic Violations Citations		
Hazardous	460,287	9.5
Non-Hazardous	4,399,396	90.5
TOTAL TRAFFIC	4,859,683	100.0

See Table 13 For Further Breakdown

CHICAGO POLICE DEPARTMENT

ANNUAL REPORT 1991



MATT L. RODRIGUEZ
Superintendent of Police



RICHARD M. DALEY
Mayor, City of Chicago

TYPES OF DATA PRESENTED

The tabulations and graphs which follow give data on crimes reported, on arrest
and other results of police information.

The basis of reporting the data is the 12-month calendar year.

12 - MONTH YEAR (1 January through 31 December 1991)

The 12 - Month calendar year (365) days is used where the data relates to the Federal Bureau of
Investigation, Illinois Uniform Crime Reporting, City of Chicago and certain other reports.

1. I-UCR Part 1 Offenses ByType - Offenses and Clearances

OFFENSES	NUMBER	CLEARANCES * NUMBER	PERCENT CLEARED
Murder	927	741	79.9
Involuntary Manslaughter	35	35	100.0
Criminal Sexual Assault - Total	3,575	1,998	55.8
Attempt Criminal Sexual Assault	375	174	46.4
Criminal Sexual Assault	3,200	1,824	57.0
Robbery - Total	43,783	7,750	17.7
Armed Robbery	25,438	4,009	15.7
Strong Armed Robbery	18,345	3,741	20.3
Aggravated Assault - Total	42,237	24,047	56.9
Burglary - Total	52,234	6,098	11.6
Forcible Entry	39,495	4,221	10.6
Unlawful Entry	9,163	1,256	13.7
Attempt, Forcible Entry	3,576	621	17.3
Theft	131,688	33,002	25.0
Motor Vehicle Theft	47,396	6,585	13.8
Arson	2,069	335	16.1
TOTAL OFFENSES	323,944	80,591	24.8

*Solution of crime. One arrest, death or other event may result in one or more clearances.

2. All Arrests

NON-TRAFFIC VIOLATIONS ARRESTS	NUMBER	PERCENT
Murder	1,096	0.4
Criminal Sexual Assault	942	0.3
Aggravated Assault	8,453	2.7
Robbery	5,788	1.8
Burglary	7,242	2.3
Theft	39,068	12.3
Motor Vehicle Theft	8,899	2.8
Arson	264	0.1
Other Non-Traffic Arrests	244,799	77.3
TOTAL NON-TRAFFIC ARRESTS	316,551	100.0

See Table 13 For Further Breakdown

Chicago Police Department

Annual 1995 Report



Richard M. Daley, Mayor
Matt L. Rodriguez, Superintendent

Figure 13

Index Crime Clearances

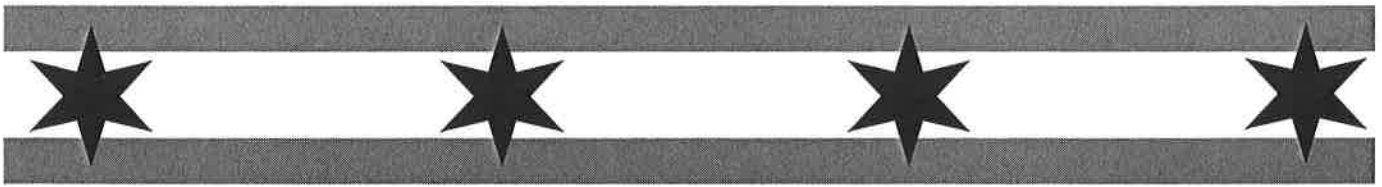
Nearly 25 percent of reported index crimes were cleared in 1995, almost the same percent as in 1994. Individual crime categories had either relatively high or relatively low clearance rates. Among the crimes most likely to be

cleared were murder, criminal sexual assault, and aggravated assault. Those less likely to be cleared included burglary, motor vehicle theft, robbery, arson, and theft.

1995 Reported Offenses and Clearances

	Offenses	Clearances*	Percent Cleared
Murder	827	511	61.8%
Criminal sexual assault—total	2,896	1,669	57.6%
Attempted criminal sexual assault	286	140	49.0%
Criminal sexual assault	2,610	1,529	58.6%
Robbery—total	30,086	5,540	18.4%
Armed robbery	17,527	2,684	15.3%
Strongarmed robbery	12,559	2,856	22.7%
Aggravated assault—total	39,205	21,544	55.0%
Gun	12,183	5,636	46.3%
Knife or cutting instrument	9,125	6,332	69.4%
Other dangerous weapon	16,680	8,835	53.0%
Hands, fists, feet, etc.	1,217	741	60.9%
Burglary—total	40,239	4,332	10.8%
Forcible entry	28,690	2,922	10.2%
Unlawful entry	8,830	1,028	11.6%
Attempted forcible entry	2,719	382	14.0%
Theft	121,487	27,109	22.3%
Motor vehicle theft	36,197	5,237	14.5%
Arson	1,241	235	18.9%
TOTAL	272,178	66,177	24.3%

* A clearance is the solution of a crime. An arrest, death, or other event may result in one or more clearances.



Chicago Police Department

19 Annual 96 Report

A History-Making Performance

Richard M. Daley, Mayor
Matt L. Rodriguez, Superintendent





Index Arrests and Clearances - 1995/1996 Comparison

be cleared were murder, criminal sexual assault, and aggravated assault. Those less likely to be cleared included burglary motor

vehicle theft, robbery, arson, and theft. Index arrests increased by more than 3 percent between 1995 and 1996.

Index Arrests and Clearances - 1996

	Offenses	Clearances*	Percent Cleared	Arrests**
Murder	789	426	54.0%	767
Criminal Sexual Assault - Total	2,752	1,490	54.1%	457
Attempted Criminal Sexual Assault	233	111	47.6%	
Criminal Sexual Assault	2,519	1,379	54.7%	
Robbery - Total	26,860	5,051	18.8%	3,279
Armed Robbery	15,846	2,524	15.9%	
Strongarmed Robbery	11,014	2,527	22.9%	
Aggravated Assault - Total	37,097	20,584	55.5%	8,182
Gun	11,146	5,104	45.8%	
Knife or Cutting Instrument	8,757	6,117	69.9%	
Other Dangerous Weapon	16,109	8,750	54.3%	
Hands, Fists, Feet, etc.	1,085	613	56.5%	
Burglary - Total	40,475	3,976	9.8%	4,350
Forcible Entry	28,981	2,666	9.2%	
Unlawful Entry	8,636	926	10.7%	
Attempted Forcible Entry	2,858	384	13.4%	
Theft	119,492	26,373	22.1%	33,548
Motor Vehicle Theft	34,091	4,944	14.5%	8,566
Arson	1,560	318	20.4%	174
TOTAL	263,116	63,162	24.0%	59,323

* Solution of crime. One arrest, death or other event may result in one or more clearances.

** Arrests may be for crimes committed in other years.



Chicago Police Department

Richard M. Daley
Mayor

Terry G. Hillard
Superintendent of Police

Biennial Report 1999 / 2000

Case Clearance

While index crimes decreased by 4.5 percent between 1999 and 2000, case clearances remained stable at slightly more than 21 percent. As previously noted in this report, theft accounted for 50 percent of all index offenses in both 1999 and 2000, and as such the overall clearance rate was driven by the rate for theft (20.1 percent) in each of the two years.

On average, violent crimes were about twice as likely to be cleared as property crimes—34.8 percent vs. 17.7 percent in 1999, and 33.2 percent vs. 17.9 percent in 2000.

In both years, murder was the offense type with the highest clearance rate—49.8 percent and 46.6 percent in 1999 and 2000, respectively.

Similarly, in both years, burglary was the offense type with the lowest clearance rate—10.7 percent and 12.4 percent in 1999 and 2000, respectively.

Fig. 15a. Index Offenses and Clearances - 1999

	Offenses*	Clearances**	% Cleared
Murder	641	319	49.8%
Criminal Sexual Assault	2,092	994	47.5%
Robbery	20,001	3,331	16.7%
Aggravated Assault/Battery	27,788	12,941	46.6%
Violent Crime Subtotal	50,522	17,585	34.8%
Burglary	29,861	3,186	10.7%
Theft	111,676	22,497	20.1%
Motor Vehicle Theft	30,434	4,740	15.6%
Arson	1,188	288	24.2%
Property Crime Subtotal	173,159	30,711	17.7%
Total	223,681	48,296	21.6%

Fig. 15b. Index Offenses and Clearances - 2000

	Offenses*	Clearances**	% Cleared
Murder	631	294	46.6%
Criminal Sexual Assault	1,984	914	46.1%
Robbery	19,341	3,207	16.6%
Aggravated Assault/Battery	26,543	11,679	44.0%
Violent Crime Subtotal	48,499	16,094	33.2%
Burglary	28,321	3,510	12.4%
Theft	106,020	21,318	20.1%
Motor Vehicle Theft	29,735	4,385	14.8%
Arson	1,062	289	27.2%
Property Crime Subtotal	165,138	29,502	17.9%
Total	213,637	45,596	21.3%

* Includes both the actual offense and attempts to commit that offense.

** Solution of crime. An arrest, death or other event may result in one or more clearances.

Note: A case clearance may occur during the year in which the offense was committed or in a subsequent year. The clearance is then recorded in the year in which the crime occurred.

Chicago Police Department

2001

Annual Report



Richard M. Daley, Mayor
Terry G. Hillard, Superintendent of Police

Fig. 15a. Index Offenses and Clearances, 2001

	Offenses*	Clearances**	% Cleared
Murder	666	361	54.2%
Criminal Sexual Assault	1,933	898	46.5%
Robbery	18,450	3,005	16.3%
Aggravated Assault/Battery	25,544	11,476	44.9%
Violent Crime Subtotal	46,593	15,723	33.7%
Burglary	26,009	2,766	10.6%
Theft	97,939	19,118	19.5%
Motor Vehicle Theft	27,689	3,986	14.4%
Arson	1,004	282	28.1%
Property Crime Subtotal	152,641	26,152	17.1%
Total	199,234	41,875	21.0%

Fig. 15b. Index Offenses and Clearances, 2000

	Offenses*	Clearances**	% Cleared
Murder	631	335	53.1%
Criminal Sexual Assault	2,029	966	47.6%
Robbery	19,344	3,251	16.8%
Aggravated Assault/Battery	26,544	11,728	44.2%
Violent Crime Subtotal	48,548	16,280	33.5%
Burglary	28,329	3,613	12.8%
Theft	106,245	21,359	20.1%
Motor Vehicle Theft	29,721	4,417	14.9%
Arson	1,062	290	27.3%
Property Crime Subtotal	165,357	29,679	17.9%
Total	213,905	45,959	21.5%

* Includes both the actual offense and attempts to commit that offense.

** Solution of crime. An arrest, death or other event may result in one or more clearances.

Case Clearances

The percent of cases cleared in 2001 approximated the percent in 2000 (21.0 percent vs. 21.3 percent). As noted elsewhere in this report, theft accounted for some 50 percent of all index offenses, and the overall clearance rate was therefore driven by the rate for theft (19.5 percent).

On average, violent crimes were about twice as likely to be cleared as property crimes — 33.7 percent vs. 17.1 percent. Murder was the offense type with the highest clearance rate (54.2 percent) and burglary, the lowest (10.6 percent). All of these figures are typical of recent years.

chicago police department

2002 annual report



Richard M. Daley, Mayor
Terry G. Hillard, Superintendent of Police

Exhibit 5a. Index Offenses and Clearances, 2002

	Offenses*	Clearances**	% Cleared
Murder	648	301	46.5%
Criminal Sexual Assault	1,971	790	40.1%
Robbery	18,533	2,933	15.8%
Aggravated Assault/Battery	25,005	11,546	46.2%
Violent Crime Subtotal	46,157	15,570	33.7%
Burglary	25,399	2,889	11.4%
Theft	96,439	17,499	18.1%
Motor Vehicle Theft	25,238	3,890	15.4%
Arson	1,022	217	21.2%
Property Crime Subtotal	148,098	24,495	16.5%
Total	194,255	40,065	20.6%

Exhibit 5b. Index Offenses and Clearances, 2001

	Offenses*	Clearances**	% Cleared
Murder	666	361	54.2%
Criminal Sexual Assault	1,933	898	46.5%
Robbery	18,450	3,005	16.3%
Aggravated Assault/Battery	25,544	11,476	44.9%
Violent Crime Subtotal	46,593	15,740	33.7%
Burglary	26,009	2,766	10.6%
Theft	97,939	19,118	19.5%
Motor Vehicle Theft	27,689	3,986	14.4%
Arson	1,004	282	28.1%
Property Crime Subtotal	152,641	26,152	17.1%
Total	199,234	41,892	21.0%

* Includes both the actual offense and attempts to commit that offense.

** Solution of crime. An arrest, death or other event may result in one or more clearances.

Note: The numbers reported for case clearances may be lower than the actual number of clearances for the offenses in a given year. This is due to the fact that a case clearance may occur during the year in which the offense was committed or in a subsequent year. The clearance then becomes recorded in the year in which the crime occurred. For comparative purposes, the case clearance data in Exhibit 4b. match the numbers reported in the CPD 2001 Annual Report and do not reflect any clearances to those cases which may have occurred in subsequent years.

Case Clearances

The percentage of cases cleared in 2002 was 20.6 percent, a figure typical of recent years. As noted elsewhere in this report, theft accounted for some 50 percent of all index offenses, and the overall clearance rate was therefore driven by the rate for theft (18.1 percent).

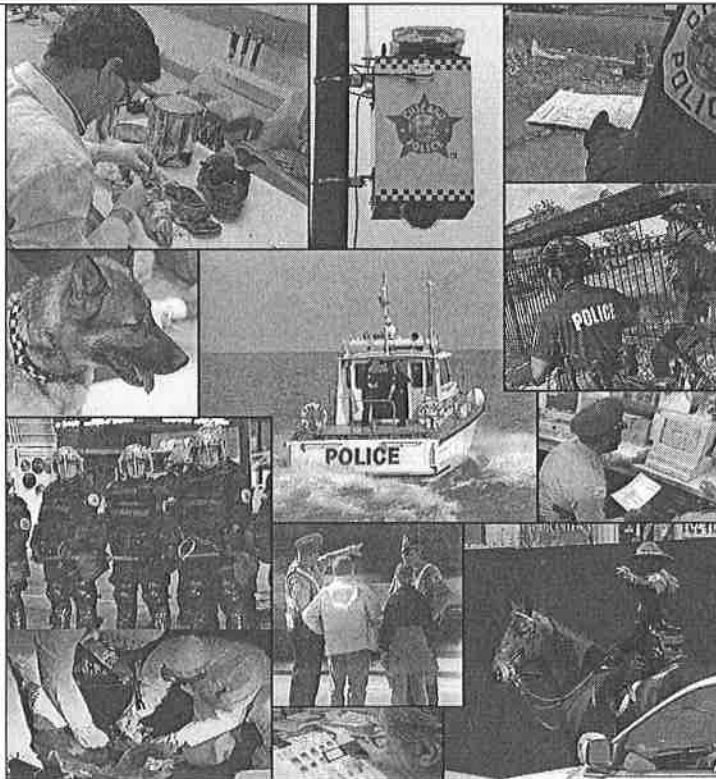
On average, violent crimes were about twice as likely to be cleared as property crimes, 33.7 percent vs. 16.5 percent. Again, these figures are typical of recent years. Murder had the highest clearance rate at 46.5 percent, compared to 54.2 percent in 2001. Burglary had the lowest rate, 11.4 percent, although this was higher than the 10.6 percent in 2001.

» » » chicago police department

annual report

2003

year in review



INNOVATIVE CRIME REDUCTION STRATEGIES
HELPING TO MAKE CHICAGO THE SAFEST BIG CITY IN AMERICA

philip j. cline • superintendent

Case Clearances

Exhibit 5a. Index Offenses and Clearances, 2003

	Offenses*	Clearances**	% Cleared
Murder	600	304	50.7%
Criminal Sexual Assault	1,805	732	40.6%
Robbery	17,324	2,882	16.6%
Aggravated Assault	7,332	4,020	54.8%
Aggravated Battery	12,468	4,701	37.7%
Violent Crime Subtotal	39,529	12,639	32.0%
Burglary	25,102	2,567	10.2%
Theft	97,098	16,865	17.4%
Motor Vehicle Theft	22,784	3,342	14.7%
Arson	945	188	19.9%
Property Crime Subtotal	145,929	22,962	15.7%
Total	185,458	35,601	19.2%

Clearances as of 25 Feb 2004

Exhibit 5b. Index Offenses and Clearances, 1999-2002

	Offenses*	Clearances**	% Cleared
Murder	2,590	1,456	56.2%
Criminal Sexual Assault	8,254	4,000	48.5%
Robbery	76,287	13,164	17.3%
Aggravated Assault	32,450	18,135	55.9%
Aggravated Battery	66,487	25,983	39.1%
Violent Crime Subtotal	186,068	62,738	33.7%
Burglary	109,830	13,438	12.2%
Theft	414,709	81,258	19.6%
Motor Vehicle Theft	112,745	17,345	15.4%
Arson	4,273	1,091	25.5%
Property Crime Subtotal	641,557	113,132	17.6%
Total	827,625	175,870	21.2%

Data taken from 2002 Annual Report

* Includes both the actual offense and attempts to commit that offense.

** Solution of crime. An arrest, death or other event may result in one or more clearances.

Note: The numbers reported for case clearances may be lower than the actual number of clearances for the offenses in a given year. This is due to the fact that a case clearance may occur during the year in which the offense was committed or in a subsequent year. The clearance then becomes recorded in the year in which the crime occurred. For comparative purposes, the case clearance data in Exhibit 4b, match the numbers reported in the CPD 2001 Annual Report and do not reflect any clearances to those cases which may have occurred in subsequent years.

The percentage of cases cleared in 2003 was 19.2 percent, a figure slightly lower than the average for the previous five years (21.2 percent). As noted elsewhere in this report, theft accounted for more than half of all index offenses, and the overall clearance rate was therefore driven by the rate for theft (17.4 percent).

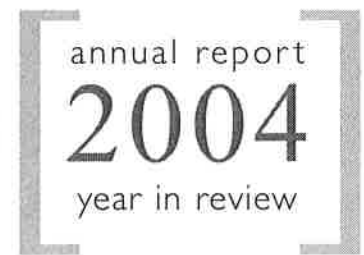
On average, violent crimes were twice as likely to be cleared as property crimes, 31.9 percent vs. 15.7 percent. This ratio is typical of recent years. Aggravated assault had the highest clearance rate at 54.8 percent, while burglary had the lowest, at 10.2 percent.

2003

YEAR IN REVIEW

chicago police department • annual report

the chicago police department



philip j. cline • superintendent

[case clearances]

exhibit 5a. index offenses and clearances, 2004

	Offenses*	Clearances**	% Cleared
Murder	448	234	52.2%
Criminal Sexual Assault	1,706	758	44.4%
Robbery	15,895	2,847	17.9%
Aggravated Assault	7,257	4,148	57.2%
Aggravated Battery	11,474	4,894	42.7%
Violent Crime Subtotal	36,780	12,881	35.0%
Burglary	24,419	2,277	9.3%
Theft	93,809	15,946	17.0%
Motor Vehicle Theft	22,753	3,072	13.5%
Arson	773	151	19.5%
Property Crime Subtotal	141,754	21,446	15.1%
Total	178,534	34,327	19.2%

The percentage of cases cleared in 2004 was 19.2 percent, the same as in 2003. This figure is slightly lower than the combined percentage for the previous five years, which was 20.9 percent. As noted elsewhere in this report, theft accounted for more than half of all index offenses, and the overall clearance rate was therefore driven by the rate for theft.

On average, violent crimes were twice as likely to be cleared as property crimes (35.0 percent vs. 15.1 percent). This ratio is typical of recent years. Aggravated assault had the highest clearance rate at 57.2 percent, while burglary had the lowest, at 9.3 percent.

exhibit 5b. index offenses and clearances, 2003

	Offenses*	Clearances**	% Cleared
Murder	599	304	50.8%
Criminal Sexual Assault	1,805	732	40.6%
Robbery	17,324	2,882	16.6%
Aggravated Assault	7,332	4,020	54.8%
Aggravated Battery	12,468	4,701	37.7%
Violent Crime Subtotal	39,528	12,639	32.0%
Burglary	25,102	2,567	10.2%
Theft	97,098	16,865	17.4%
Motor Vehicle Theft	22,784	3,342	14.7%
Arson	945	188	19.9%
Property Crime Subtotal	145,929	22,962	15.7%
Total	185,457	35,601	19.2%

Data taken from 2003 Annual Report.

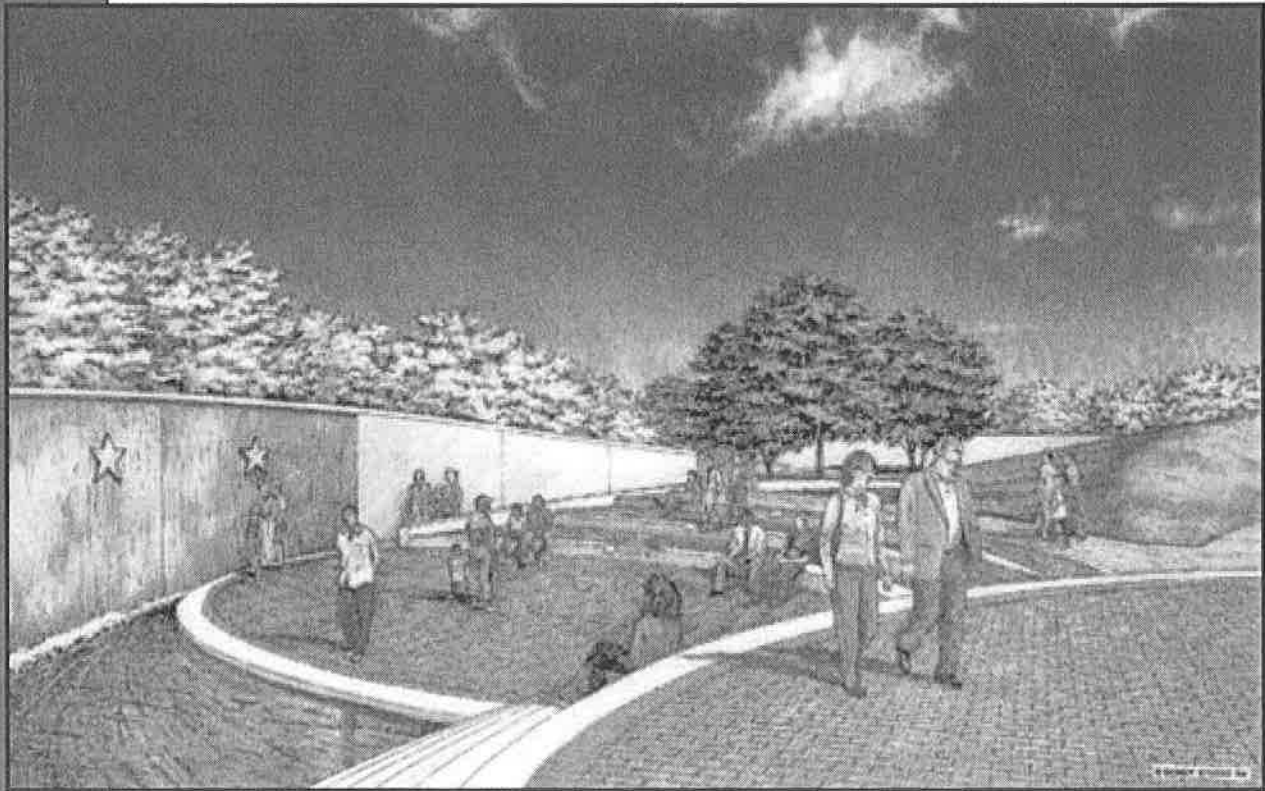
* Includes both the actual offense and attempts to commit that offense.

** Includes incidents that were cleared when the offender(s) is arrested, charged, and prosecuted and those cleared exceptionally. Incidents are cleared exceptionally when an offender has been identified, there is enough evidence to arrest, charge, and prosecute the offender; and the offender's location is known so that he/she can be taken into custody, but circumstances outside the control of the police department have prevented the arrest, charging, and/or prosecution of an offender (Federal Bureau of Investigation, 2004).

Note: The numbers reported for case clearances may be lower than the actual number of clearances for the offenses in a given year. This is due to the fact that a case clearance may occur during the year in which the offense was committed or in a subsequent year. The clearance then becomes recorded in the year in which the crime occurred. For comparative purposes, the case clearance data in Exhibit 5b. match the numbers reported in the CPD 2003 Annual Report and do not reflect any clearances to those cases which may have occurred in 2004.

CHICAGO POLICE DEPARTMENT

ANNUAL REPORT 2005 YEAR IN REVIEW



Gold Star Families Memorial and Park • "Central Gathering Plaza"

Richard M. Daley • Mayor

Philip J. Cline • Superintendent

Case Clearances

Exhibit 5a.
Index Offenses and Clearances, 2005

	Offenses*	Clearances**	% Cleared
Murder	448	195	43.5%
Criminal Sexual Assault	1,619	651	40.2%
Robbery	15,964	3,031	19.0%
Aggravated Assault	6,683	3,694	55.3%
Aggravated Battery	11,260	4,632	41.1%
Total Violent Crime	35,974	12,203	33.9%
Burglary	25,314	2,556	10.1%
Theft	83,373	15,087	18.1%
Motor Vehicle Theft	22,496	2,834	12.6%
Arson	682	164	24.0%
Total Property Crime	131,865	20,641	15.7%
Total Index Crime	167,839	32,844	19.6%

The percentage of cases cleared in 2005 was 19.6 percent, virtually the same as in 2004 (19.2 percent). As noted elsewhere in this report, theft accounted for approximately half of all index offenses, and the overall clearance rate was therefore driven by the rate for theft (18.1 percent).

On average, violent crimes were twice as likely to be cleared as property crimes (33.9 percent vs. 15.7 percent, respectively). This ratio is typical of recent years. Aggravated assault had the highest clearance rate, at 55.3 percent, while burglary had the lowest, at 10.1 percent.

Exhibit 5b.
Index Offenses and Clearances, 2004

	Offenses*	Clearances**	% Cleared
Murder	448	234	52.2%
Criminal Sexual Assault	1,706	758	44.4%
Robbery	15,895	2,847	17.9%
Aggravated Assault	7,257	4,148	57.2%
Aggravated Battery	11,474	4,894	42.7%
Total Violent Crime	36,780	12,881	35.0%
Burglary	24,419	2,277	9.3%
Theft	93,809	15,946	17.0%
Motor Vehicle Theft	22,753	3,072	13.5%
Arson	773	151	19.5%
Total Property Crime	141,754	21,446	15.1%
Total Index Crime	178,534	34,327	19.2%

Source: Data taken from 2004 Annual Report.

* Includes both the actual offense and attempts to commit that offense.

** Includes incidents that were cleared when the offender(s) is arrested, charged, and prosecuted and those cleared exceptionally. Incidents are cleared exceptionally when an offender has been identified, there is enough evidence to arrest, charge, and prosecute the offender, and the offender's location is known so that he/she can be taken into custody, but circumstances outside the control of the police department have prevented the arrest, charging, and/or prosecution of an offender (Federal Bureau of Investigations, 2004).

Note: The numbers reported for case clearances may be lower than the actual number of clearances for the offenses in a given year. This is due to the fact that a case clearance may occur during the year in which the offense was committed or in a subsequent year. The clearance then becomes recorded in the year in which the crime occurred. For comparative purposes, the case clearance data in Exhibit 5b. match the numbers reported in the CPD 2004 Annual Report and do not reflect any clearances to those cases which may have occurred in subsequent years.

Chicago Police Department



Richard M. Daley
Mayor

Dana V. Starks
Interim Superintendent



2006 Annual Report

Year in Review



Case Clearances

The percentage of index cases cleared was 18.9 percent, close to the 2005 figure of 19.6 percent. As noted elsewhere in this report, theft accounted for approximately half of all index offenses, and the overall clearance rate for 2006 was therefore driven by the rate for theft (16.5 percent).

On average, violent crimes were more than twice as likely to be cleared as property crimes (34.7 percent vs. 14.6 percent). This ratio is typical of recent years. Aggravated assault had the highest clearance rate, at 56.3 percent, while burglary and motor vehicle theft had the lowest, at 11.2 percent each.

Exhibit 5a.

Index Offenses and Clearances, 2006

	Offenses*	Clearances**	% Cleared
Murder	467	181	38.8%
Criminal Sexual Assault	1,537	594	38.6%
Robbery	15,868	3,384	21.3%
Aggravated Assault	6,524	3,671	56.3%
Aggravated Battery	10,939	4,434	40.5%
Total Violent Crime	35,335	12,264	34.7%
Burglary	24,196	2,710	11.2%
Theft	84,007	13,827	16.5%
Motor Vehicle Theft	21,806	2,443	11.2%
Arson	713	137	19.2%
Total Property Crime	130,722	19,117	14.6%
Total Index Crime	166,057	31,381	18.9%

Exhibit 5b.

Index Offenses and Clearances, 2005

	Offenses*	Clearances**	% Cleared
Murder	448	195	43.5%
Criminal Sexual Assault	1,619	651	40.2%
Robbery	15,964	3,031	19.0%
Aggravated Assault	6,683	3,694	55.3%
Aggravated Battery	11,260	4,632	41.1%
Total Violent Crime	35,974	12,203	33.9%
Burglary	25,314	2,556	10.1%
Theft	83,373	15,087	18.1%
Motor Vehicle Theft	22,496	2,834	12.6%
Arson	682	164	24.0%
Total Property Crime	131,865	20,641	15.7%
Total Index Crime	167,839	32,844	19.6%

Source: 2005 data were taken from the 2005 Annual Report.

* Includes both the actual offense and attempts to commit that offense

**Includes incidents that were cleared when the offender(s) is arrested, charged, and prosecuted and those cleared exceptionally. Incidents are cleared exceptionally when an offender has been identified, there is enough evidence to arrest, charge and prosecute the offender, and the offender's location is known so that he/she can be taken into custody, but circumstances outside the control of the police department has prevented the arrest, charging, and/or prosecution of an offender (Federal Bureau of Investigations, 2004).

Note: The numbers reported for clearances may be lower than the actual number of clearances for the offenses in a given year. This is because a clearance may occur during the year in which the offense was committed or in a subsequent year. For comparative purposes, the clearance data in Exhibit 5b match the numbers reported in the 2005 Annual Report and do not reflect any clearances which may have occurred in subsequent years.

CHICAGO POLICE DEPARTMENT

2008 ANNUAL REPORT

A YEAR IN REVIEW

CITY OF CHICAGO

RICHARD M. DALEY

MAYOR

CHICAGO POLICE DEPARTMENT

JODY P. WEIS

SUPERINTENDENT OF POLICE

CASE CLEARANCES

The percentage of index cases cleared was 18.4 percent, virtually identical to the 2007 figure of 18.7 percent. As noted elsewhere in this report, theft accounted for approximately half of all index offenses, and the overall clearance rate was therefore driven by the clearance rate for theft (16.4 percent).

On average, violent crimes were more than twice as likely to be cleared as property crimes (33.0 percent vs. 14.4 percent). This ratio is typical of recent years. Aggravated assault had the highest clearance rate, at 53.1 percent, while burglary had the lowest, at 10.3 percent, almost a percentage point less than in 2007 (11.2 percent).

Exhibit 5a.

Index Offenses and Clearances, 2008

	Offenses*	Clearances**	% Cleared
Murder	510	181	35.5%
Criminal Sexual Assault	1,578	589	37.3%
Robbery	16,661	3,400	20.4%
Aggravated Assault	6,241	3,314	53.1%
Aggravated Battery	10,807	4,338	40.1%
Total Violent Crime	35,797	11,822	33.0%
Burglary	26,101	2,698	10.3%
Theft	86,506	14,197	16.4%
Motor Vehicle Theft	18,871	2,021	10.7%
Arson	633	83	13.1%
Total Property Crime	132,111	18,999	14.4%
Total Index Crime	167,908	30,821	18.4%

Exhibit 5b.

Index Offenses and Clearances, 2007

	Offenses*	Clearances**	% Cleared
Murder	442	175	39.6%
Criminal Sexual Assault*	1,599	599	37.5%
Robbery*	15,426	3,215	20.8%
Aggravated Assault	6,283	3,396	54.1%
Aggravated Battery	11,145	4,554	40.9%
Total Violent Crime	34,895	11,939	34.2%
Burglary	24,766	2,770	11.2%
Theft	83,118	13,243	15.9%
Motor Vehicle Theft	18,607	2,252	12.1%
Arson	700	137	19.6%
Total Property Crime	127,191	18,402	14.5%
Total Index Crime	162,086	30,341	18.7%

* With the exception of murder, aggravated battery, and aggravated assault, the totals include both the actual offense and attempts to commit that offense.

** Includes incidents that were cleared when the offender is arrested, charged, and prosecuted and those cleared exceptionally. Incidents are cleared exceptionally when an offender has been identified, there is enough evidence to arrest, charge and prosecute the offender, and the offender's location is known so that he/she can be taken into custody, but circumstances outside the control of the police department has prevented the arrest, charging, and/or prosecution of an offender (Federal Bureau of Investigations, 2004).

Note: Clearance percentages for earlier time periods tend to be higher, as there has been a longer period of time for detectives to clear the case. For Exhibit 5b., instead of updating clearance percentages for 2007 cases, we retained percentages originally published in the 2007 Annual report. We did this to facilitate comparison between 2007 and 2008.

Source: 2007 data were taken from the 2007 Annual Report.

Note that, in Exhibit 5b, the 2007 murder total is different than in Exhibit 2. This is because the total in Exhibit 2 was revised to reflect updated information, whereas, in Exhibit 5b we retained the total from the 2007 Annual Report. We did this to facilitate comparison in clearance percentages between 2007 and 2008.

CHICAGO POLICE DEPARTMENT

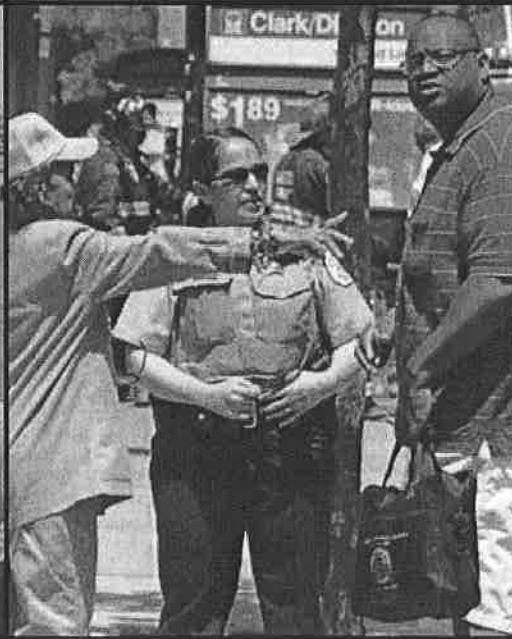
2009

ANNUAL REPORT

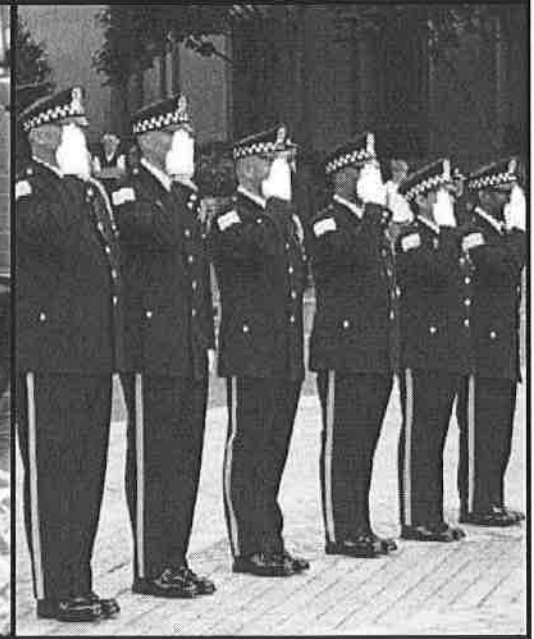
POLICING



PARTNERSHIPS



PROFESSIONALISM



A YEAR IN REVIEW

RICHARD M. DALEY
MAYOR

JODY P. WEIS
SUPERINTENDENT

CASE CLEARANCES

As of early 2010, 19.0% of reported 2009 index crime incidents had been cleared. This percentage was similar to a 2008 percentage (18.4%) that was calculated around the same time one year earlier, thus providing a fair annual comparison.

Clearance rates differed by crime type. Aggravated assault had the highest clearance rate (54.0%), followed by criminal sexual assault (44.3%). Burglary and motor vehicle theft had the lowest clearance rates (10.7% and 10.8%).

A greater percentage of violent crime incidents were cleared. For example, 54% of reported aggravated assault incidents were cleared, while 10.7% of burglary incidents were cleared

Exhibit 5a

Index Offenses and Clearances, 2009

	Offenses	Clearances*	% Cleared
Murder	461	160	34.7%
Criminal Sexual Assault	1,458	646	44.3%
Robbery	15,918	3,404	21.4%
Aggravated Assault	5,726	3,090	54.0%
Aggravated Battery	10,065	4,137	41.1%
Total Violent Crime	33,628	11,437	34.0%
Burglary	26,630	2,859	10.7%
Theft	79,212	13,430	17.0%
Motor Vehicle Theft	15,462	1,669	10.8%
Arson	607	94	15.5%
Total Property Crime	121,911	18,052	14.8%
Total Index Crime	155,539	29,489	19.0%

Exhibit 5b

Index Offenses and Clearances, 2008

	Offenses	Clearances*	% Cleared
Murder	510	181	35.5%
Criminal Sexual Assault*	1,578	589	37.3%
Robbery*	16,661	3,400	20.4%
Aggravated Assault	6,241	3,314	53.1%
Aggravated Battery	10,807	4,338	40.1%
Total Violent Crime	35,797	11,822	33.0%
Burglary	26,101	2,698	10.3%
Theft	86,506	14,197	16.4%
Motor Vehicle Theft	18,871	2,021	10.7%
Arson	633	83	13.1%
Total Property Crime	132,111	18,999	14.4%
Total Index Crime	167,908	30,821	18.4%

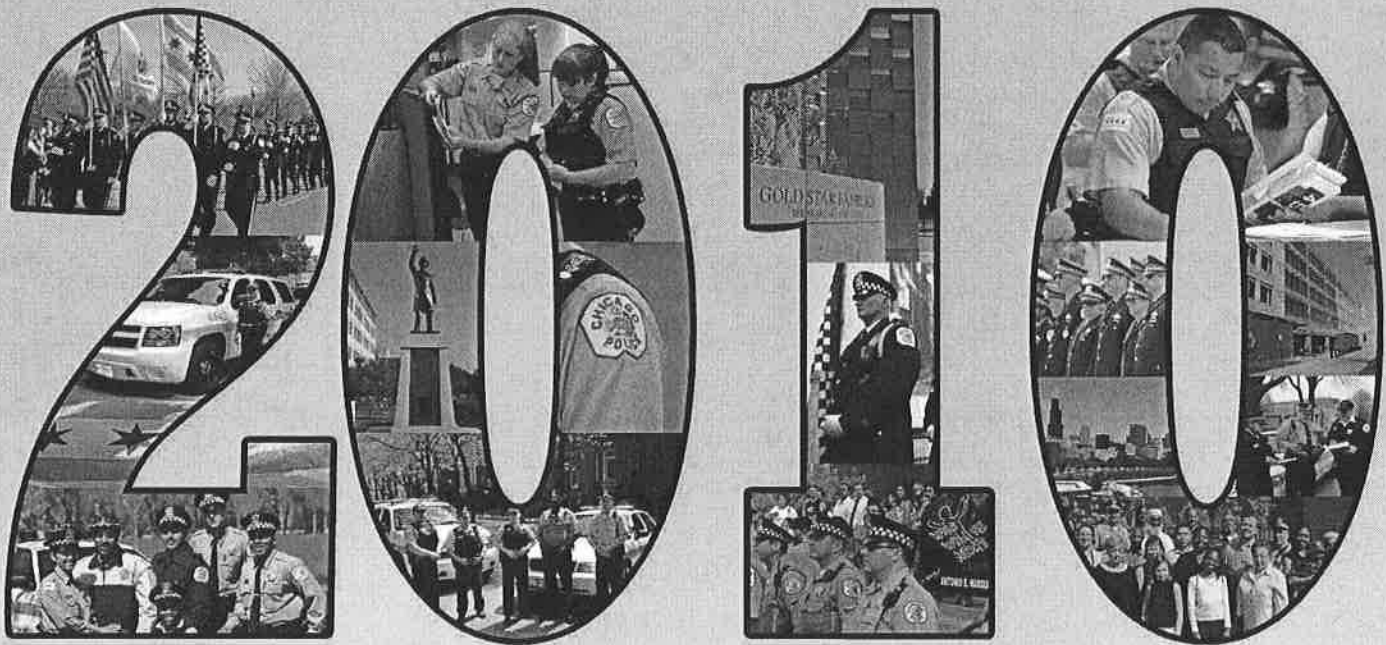
*Includes incidents that were cleared when the offender(s) is arrested, charged, and prosecuted and those cleared exceptionally. Incidents are cleared exceptionally when an offender has been identified, there is enough evidence to arrest, charge, and prosecute the offender, and the offender's location is known so that he/she can be taken into custody, but circumstances outside the control of the police department have prevented the arrest, charging, and/or prosecution of an offender (Federal Bureau of Investigations, 2004).

Note: The numbers reported for clearances may be lower than the actual number of clearances for the offenses in a given year. This is because a clearance may occur during the year in which the offense was committed or in a subsequent year. For comparative purposes, the clearance data in Exhibit 5b match the numbers reported in the 2008 Annual Report and do not reflect any clearances which may have occurred in subsequent years.

Source: Data were taken from the 2008 Annual Report.

CHICAGO POLICE DEPARTMENT

ANNUAL REPORT



A YEAR IN REVIEW

RICHARD M. DALEY
MAYOR



JODY P. WEIS
SUPERINTENDENT

CASE CLEARANCES

As of July 2011, 17.0% of reported 2010 index crime incidents had been cleared. This percentage was similar to the percentage reported in the 2009 Annual Report (18.4%). However, the 2009 percentage was calculated earlier in the previous year (February 2010), precluding precise comparison. Clearance rates change over time and are sensitive to the amount of time elapsed since the incident occurred.

A larger percentage of violent index crimes were cleared (33.3% vs. 12.9% for property index crime). Aggravated assault had the highest clearance rate (51.2%), followed by criminal sexual assault (46.0%). Burglary and motor vehicle theft had the lowest clearance rates (9.1% and 7.7%).

Exhibit 5a

Index Offenses and Clearances, 2010

	Offenses	Clearances*	% Cleared
Murder	437	148	33.9%
Criminal Sexual Assault	1,400	644	46.0%
Robbery	14,265	2,851	20.0%
Aggravated Assault	5,062	2,592	51.2%
Aggravated Battery	9,386	3,933	41.9%
Total Violent Crime	30,550	10,168	33.3%
Burglary	26,347	2,408	9.1%
Theft	75,608	11,697	15.5%
Motor Vehicle Theft	19,015	1,461	7.7%
Arson	511	80	15.7%
Total Property Crime	121,481	15,646	12.9%
Total Index Crime	152,031	25,814	17.0%

Exhibit 5b

Index Offenses and Clearances, 2009

	Offenses	Clearances*	% Cleared
Murder	461	160	34.7%
Criminal Sexual Assault	1,458	646	44.3%
Robbery	15,918	3,404	21.4%
Aggravated Assault	5,726	3,090	54.0%
Aggravated Battery	10,065	4,137	41.1%
Total Violent Crime	33,628	11,437	34.0%
Burglary	26,630	2,859	10.7%
Theft	79,212	13,430	17.0%
Motor Vehicle Theft	15,462	1,669	10.8%
Arson	607	94	15.5%
Total Property Crime	121,911	18,052	14.8%
Total Index Crime	155,539	29,489	19.0%

Source: Data were taken from the 2009 Annual Report.

*Includes incidents that were cleared when the offender(s) is arrested, charged, and prosecuted and those cleared exceptionally. Incidents are cleared exceptionally when an offender has been identified, there is enough evidence to arrest, charge, and prosecute the offender, and the offender's location is known so that he or she can be taken into custody, but circumstances outside the control of the police department have prevented the arrest, charging, and/or prosecution of an offender (Federal Bureau of Investigations, 2004).

Note: The clearance data in Exhibit 5b match the numbers reported in the 2009 Annual Report. That is, 2009 clearance data was not updated to reflect new clearances that occurred subsequent to publication of the 2009 Annual Report. Republication of static clearance rates facilitated comparison between 2009 and 2010 clearance rates as, had 2009 rates been updated, they would have been higher than 2010 rates, simply because CPD detectives had more time to clear 2009 cases.

APPENDIX 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICOLE HARRIS,)	
)	
Plaintiff,)	
)	
v.)	No. 1:14-cv-04391
)	
CITY OF CHICAGO, Chicago Police)	Hon. John W. Darrah
Officers ROBERT BARTIK, #3078;)	
DEMOSTHENES BALODIMAS,)	
#21204, ROBERT CORDARO, #20680,)	
JOHN J. DAY, #20926, JAMES M.)	Hon. Mag. Susan E. Cox
KELLY, #21121, MICHAEL)	
LANDANDO, #20417, ANTHONY)	
NORADIN, #21252, and RANDALL)	
WO, #20232; Assistant Cook County)	
State's Attorneys ANDREA GROGAN)	
and LAWRENCE O'REILLY; and the)	
COUNTY OF COOK,)	
)	
Defendants.)	
)	

DECLARATION OF DONALD J. O'NEILL

I, Donald J. O'Neill, state as follows:


1. I am the Director of Human Resources with the Chicago Police Department ("CPD"), and was designated as the 30(b)(6) witness on behalf of the City of Chicago (the "City") to testify regarding certain matters pertaining to Robert Bartik, including his disciplinary history. I am over the age of 18. I have personal knowledge of the facts stated herein. If called upon to testify, I could and would competently do so.

2. I am providing this Declaration in support of the City's Reply in Support of its Motion for Partial Summary Judgment in *Harris v. City of Chicago*.

3. Attached to the City's Supplemental Rule 56 Statement as ~~Exhibit~~ ^{APP} 3 is a true and correct copy of the document that I referenced on p. 147 of my deposition transcript in which I referenced an internal affairs investigation into allegations of misconduct of Robert Bartik. This investigation was initiated at the behest of the Superintendent of the Chicago Police Department at the time. The then Chief of Internal Affairs, Tina Skahill, brought the matter to the Superintendent's attention, and he approved the investigation.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this Declaration was executed this 29th day of March in 2016 in Chicago, Illinois.

Executed on March 29, 2016



Donald J. O'Neill
Director of Human Resources
Chicago Police Department

APPENDIX 3

01-Dec-2008 11:28

From: I A D RECORDS

+3127456992

T-639 P.003/004 F-232

BUREAU OF PROFESSIONAL STANDARDS
Internal Affairs Division

19 NOVEMBER 2008

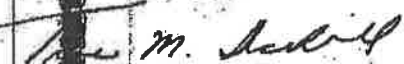
TO: Jody P. Weis
Superintendent of Police

FROM: Tina M. Skahill
Chief
Internal Affairs Division

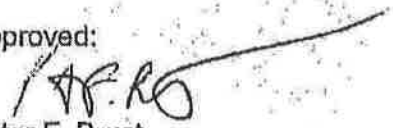
**SUBJECT: Authorization for Investigation
Pursuant to Fraternal Order of Police Contract Article 6.1 D**


I am seeking approval to investigate allegations brought forth in a civil action against the City, suit #08 CV 5103. The complainant Danny Lanza alleges the officers falsely accused him of confessing to molesting two young girls.

In light of the seriousness of the charges, I am requesting authorization to initiate a complaint log investigation in this matter. As the allegations are more than five years old, the investigation may not proceed unless authorized by the Superintendent.


Tina M. Skahill
Chief
Internal Affairs Division

Approved:


Peter F. Brust
Deputy Superintendent
Bureau of Professional Standards


Jody P. Weis
Superintendent of Police

TMS/mjc
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Lanza .doc

APPENDIX 4

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NICOLE HARRIS,)
Plaintiff,)
v.) No. 14-cv-4391
CITY OF CHICAGO; Chicago)
Police Officers ROBERT BARTIK,)
DEMOSTHENES BALODIMAS, ROBERT)
CARDARO, JOHN J. DAY, JAMES M.)
KELLY, ANTHONY NORADIN, and)
RANDALL WO; Assistant Cook)
County State's Attorneys)
ANDREA GROGAN and LAWRENCE)
O'REILLY, and THE COUNTY OF COOK,)
Defendants.)

The video deposition of DONALD O'NEILL,
called for examination pursuant to the Rules of
Civil Procedure for the United States District
Courts pertaining to the taking of depositions,
taken before Tracy Jones, a Certified Shorthand
Reporter within and for the County of Cook and
State of Illinois, at 1180 North Milwaukee
Avenue, 4th Floor, Chicago, Illinois, on the
January 29, 2016, at the hour of 9:16 o'clock a.m.

Reported by: Tracy Jones, CSR, RPR, CLR
License No.: 084-004553



1 he had any discipline or complaints, you would
2 have to go to Internal Affairs or IPRA?

3 A. Internal Affairs would have the
4 records, yes.

5 Q. And if you wanted to find out about
6 litigation, you would have to go to Internal
7 Affairs or the Office of Legal Affairs?

8 MS. FORDYCE: Objection. It's outside the
9 scope of the 30(b)(6).

10 THE WITNESS: Yes.

11 BY MS. SUSLER:

12 Q. Let me ask you -- well, if Mr. Bartik's
13 supervisor at any point during his career wanted
14 to look at his personnel file, would he have
15 access to that?

16 A. Yes, he would.

17 Q. And he would just have to go to Human
18 Resources?

19 A. Yes.

20 Q. And represent himself as his
21 supervisor?

22 A. Yes.

23 Q. And if his supervisor wanted to look at
24 any of those other records we talked about, the



1 training, the other evaluations, the discipline,
2 the litigation, would that -- would that
3 supervisor have to go to each of those offices
4 we talked about?

5 A. He could generally call them on the
6 phone and get the information he was seeking.

7 Q. So a supervisor would have access to
8 the information?

9 A. Yes.

10 Q. Merely by representing himself as,
11 I'm -- I'm Robert Bartik's supervisor; I want to
12 know what's going on?

13 A. Correct.

14 Q. And if a supervisor actually wanted to
15 see the documentation as opposed to just having
16 someone tell him about it, he could do that as
17 well?

18 A. Generally speaking, yes.

19 Q. Can he get copies sent to him, or does
20 he have to go to those offices and look at those
21 documents there?

22 A. We don't provide copies of people's
23 personnel records to supervisors. They can
24 review them, but we're not providing



1 documents -- I want to clarify -- and we don't
2 release people's medical records either.

3 Q. So when you say people's personnel
4 files, you're not just talking about personnel
5 records, you're not just talking about what we
6 were talking about before as the personnel file;
7 you're talking about all those things we were
8 talking about?

9 A. No. I'm talking about the personnel
10 file.

11 Q. Okay. So if they wanted copies of any
12 of his supervision or evaluations, training,
13 discipline, or litigation, the supervisors --

14 A. I'm sorry. You have to -- That's
15 compound. There's too many factors. They're
16 all falling into different things.

17 Q. Okay. Thank you for telling me.

18 Is there any record, of all the records
19 we've talked about maintained on Mr. Bartik,
20 that a supervisor couldn't get copies of other
21 than medical records?

22 A. Could not get copies of?

23 Q. Correct.

24 A. We generally don't provide copies of



1 most of these records.

2 Q. Well, is there any record other than
3 medical that a supervisor couldn't get copies
4 of? Are you saying every other record, a
5 supervisor wouldn't get copies of?

6 MS. FORDYCE: Objection to the form. I think
7 you're misstating his prior testimony.

8 THE WITNESS: I think my testimony is the
9 records are available, but we don't make copies
10 of records and disperse those to supervisors.

11 BY MS. SUSLER:

12 Q. Okay. Do you know whether there's any
13 documentation of supervisors' requests for
14 information about Mr. Bartik's records in any of
15 the categories we've discussed?

16 MS. FORDYCE: Objection to the form.

17 THE WITNESS: Not that I'm aware of.

18 BY MS. SUSLER:

19 Q. Let me ask you some questions about
20 Mr. Bartik's qualifications to serve as a
21 polygraph examiner. What, if you know, were the
22 criteria for a Chicago Police Department
23 polygraph examiner in 1988?

24 A. In 1988, they were required to be a



1 Q. Before 2010, had you ever seen any
2 documentation of the criteria for a polygraph
3 examiner for the police department?

4 A. No, I had not.

5 Q. What, if anything, was done, if you
6 know, to determine whether Mr. Bartik met the
7 criteria you articulated?

8 A. It was verified that he had a valid
9 license with the State of Illinois as a
10 polygraph examiner.

11 Q. Do you know whether Mr. Bartik's State
12 license is in the possession of the Chicago
13 Police Department, or a copy thereof?

14 A. No, I do not know.

15 Q. Do you know who, if anyone, determined
16 whether he had a license?

17 A. When he was first hired and first moved
18 into taking polygraph exams, it was verified he
19 had a license. And I don't recall who it was.

20 Q. When you say it was verified, what was
21 done?

22 A. He presented his license.

23 Q. Is that documented anywhere?

24 A. No.



1 MS. SUSLER: Counsel, if that document
2 exists, I would like to have it.

3 MS. FORDYCE: I don't know what he's talking
4 about. And everything we reviewed yesterday is
5 documents we produced to you previously.

6 THE WITNESS: I didn't look at any documents
7 beyond those. So he might have mentioned in his
8 deposition, but I do remember something about an
9 honorable mention for some interview he
10 conducted.

11 BY MS. SUSLER:

12 Q. For what purpose are Mr. Bartik's
13 complimentary awards -- what purpose do they
14 serve him?

15 A. It's a reflection of his service to the
16 police department. And in discipline cases, it
17 would be a mitigating factor in discipline if he
18 has an exceptional complimentary record.

19 so before imposing any discipline, a
20 supervisor reviews his complimentary and
21 disciplinary history.

22 Q. I'm going to ask you some questions
23 about Mr. Bartik's promotion to sergeant. At
24 the time he was promoted, what were the criteria



1 for promotion from police officer to sergeant?

2 A. To be promoted to sergeant, he had to
3 participate in the exam process. He had to have
4 an acceptable complimentary and disciplinary
5 record, an acceptable medical record, and he had
6 to be in a full -- full-duty status.

7 Q. What documents are created in the
8 process of promoting a police officer to a
9 sergeant?

10 MS. FORDYCE: Objection as outside the scope
11 of the 30(b)(6).

12 THE WITNESS: As far as the --

13 BY MS. SUSLER:

14 Q. I will tailor the question to
15 Mr. Bartik. What documents were created in the
16 process of promoting Mr. Bartik from police
17 officer to sergeant?

18 A. Well, there was an exam that was
19 administered. It was a two-part exam. A rank
20 order list was developed by the Department of
21 Human Resources, which is the City HR
22 department. A list was provided to the police
23 department. We got to his name on the list.
24 Then we get his complimentary and disciplinary



1 history and his medical report. I review those.
2 And if he's deemed eligible to be promoted, we
3 create an administrative message that goes out
4 directing him and other people to report for
5 training at the academy for a period of time,
6 pre-service training prior to some -- prior to
7 promotion.

8 Q. So if you look at Exhibit 134, the
9 personnel file, and if you look at 7238,
10 Mr. Bartik is, like, the sixth name on the memo
11 at 7238. Do you see that?

12 A. Yes.

13 Q. So this is -- Is this the
14 administrative message you're referring to?

15 A. No. This is the personnel order,
16 B-series employment order promoting them and
17 assigning them. This is an HR function. This
18 is after they have completed their training and
19 are now being assigned to districts as
20 sergeants.

21 Q. So this would be subsequent to the
22 administrative message you mentioned?

23 A. Yes.

24 Q. Where are the documents that you just



1 named that are -- were created in the process of
2 promoting Mr. Bartik from officer to sergeant?

3 A. The exam would be in possession of
4 Department of Human Resources. Probably not in
5 their possession because it's a vendor, and they
6 own the exam. The results would be provided to
7 DHR, the Department of Human Resources. They
8 compile the list. The vendor does the scoring
9 and provides them with a rank order list. And
10 then they provide us with the names as we
11 promote.

12 So I may have a list of the people from
13 this exam process, a rank order list from the
14 people from this exam process, which is another
15 document that would have his name on it.

16 Q. If I understood you correctly, you said
17 that when you get to -- when you got to his name
18 on the list, that you personally reviewed his
19 complimentary and disciplinary history and his
20 medical record?

21 A. Yes.

22 Q. And you made the decision that he was
23 going to be promoted?

24 A. He was eligible for promotion, yes.



1 Q. What was it about his complimentary --
2 complimentary and disciplinary history that you
3 determined made him eligible for promotion?

4 A. There was nothing in his disciplinary
5 history that would prevent him from being
6 promoted.

7 Q. What -- What sort of thing in his
8 disciplinary -- in a disciplinary history would
9 prevent an officer from being promoted to a
10 sergeant?

11 MS. FORDYCE: Objection: It's outside the
12 scope of the 30(b)(6). He's not going to be
13 answering on behalf of the City.

14 THE WITNESS: There's an investigation that
15 has -- that he is going to be subject to
16 separation, and we would move that ahead to
17 start the separation process prior to promoting
18 him, rather than promoting him.

19 BY MS. SUSLER:

20 Q. So if -- If Officer Bartik had had
21 something in his disciplinary history indicating
22 that he was subject to separation, that would
23 have been the only thing in his disciplinary
24 history that would have been an obstacle to his



1 being promoted from officer to sergeant?

2 A. Well, he was from the rank order list.
3 There's two -- two components to this list. One
4 is rank order list, and one is merit selection.
5 The merit selections have different requirements
6 as far as length of sustained CR numbers and
7 discipline.

8 So if -- But that wouldn't apply to
9 Mr. Bartik. Mr. Bartik would -- to be --
10 prevent him from being promoted, he would have
11 to be relieved of police powers and subject to
12 separation.

13 Q. Just so I can --

14 A. Or not be on a full-duty status.

15 Q. I just need to put Officer Bartik's
16 promotion in the context. Now, you said there's
17 also merit promotion, which he was not on --
18 promoted with respect to his merit?

19 A. Correct.

20 Q. So that's a whole different process?

21 A. Well, it's all part of the same
22 process. It's all part of the promotion
23 process.

24 Q. But there are different requirements



1 that obtain in terms of the disciplinary record?

2 A. I review all the disciplinary records.
3 But this is what would disqualify somebody on
4 the rank order list.

5 So yes, there's different things that
6 would disqualify you from the rank order list as
7 opposed to the merit list.

8 Q. And what on the merit list would
9 disqualify you from promotion? I'm just -- I'm
10 trying to understand what happened with Bartik
11 to --

12 A. Excessive medical roll use, a
13 substantial sustained CR numbers, substantial
14 penalty on CR numbers in a period of time.

15 Q. Thank you.

16 A. That would be about it.

17 Q. Thank you. That helps.

18 In making the decision to promote
19 officer Bartik to sergeant, were performance
20 evaluations part of that conversation?

21 A. No, they were not.

22 Q. Commendations were?

23 A. Yes.

24 Q. And so were his CRs?



1 A. We're talking about Sergeant Bartik?

2 Q. Yes.

3 A. Yes, they were reviewed.

4 Q. But only to determine whether he was
5 subject to separation?

6 A. Yes.

7 Q. So would it be fair to say that the
8 allegations in the particular CRS with respect
9 to Mr. Bartik were not considered?

10 A. They were reviewed, but they were not a
11 factor in the determination. Because I do not
12 have -- I did not review any sustained
13 complaints against Sergeant Bartik.

14 Q. I guess my question was with respect to
15 the allegations in the CRS. Would it be fair to
16 say that the allegations in the respective CRS
17 Mr.- -- with respect to Mr. Bartik, that you did
18 not consider those in the decision to promote
19 him?

20 MS. FORDYCE: Objection: Misstates his prior
21 testimony, and objection to the form.

22 THE WITNESS: I reviewed them and determined
23 them to be irrelevant to the promotion process.
24



1 BY MS. SUSLER:

2 Q. And that was because you learned that
3 he was not subject to separation?

4 A. That the CR numbers were not sustained,
5 and there was no open CR numbers that would
6 subject him to separation.

7 Q. And at the time that you made the
8 decision to promote him, what information, if
9 any, did you have with respect to litigation
10 naming Mr. Bartik as a defendant?

11 A. Some of the CR numbers refer to
12 litigation. But that's the extent of the
13 information that I had.

14 Q. And would it be fair to say, then, that
15 the fact that he had been named as a defendant
16 in lawsuits with respect to his conduct as a
17 polygraph examiner was irrelevant to your
18 decision to promote him from police officer to
19 sergeant?

20 MS. FORDYCE: Objection to the form.

21 MR. NATHAN: Objection: Mischaracterizes his
22 testimony; asked and answered.

23 THE WITNESS: I reviewed the documents and
24 determined that there was nothing to disqualify



1 him from being promoted.

2 BY MS. SUSLER:

3 Q. They were irrelevant?

4 MS. FORDYCE: Same objection.

5 MR. NATHAN: Objection: Asked and answered.

6 THE WITNESS: The lawsuits -- The lawsuits or
7 the CR numbers?

8 BY MS. SUSLER:

9 Q. I think we already talked about the CR
10 numbers, right?

11 A. Okay.

12 Q. So let's talk about --

13 A. So all the information I have on the
14 lawsuits are contained in the CR numbers. So
15 the CR numbers were not relevant to my
16 determination.

17 Q. Okay. What, if anything, did you know
18 about the amount of money the City paid in
19 settlements and/or judgments in the lawsuits
20 against Mr. Bartik at the time you made the
21 decision to promote him from officer to
22 sergeant?

23 MS. FORDYCE: Objection to the form.

24 THE WITNESS: At the time I'm making the



1 evaluation whether to promote him to the
2 position he tested for of sergeant, I do not
3 have information concerning any litigation or
4 settlements that the City may have entered into
5 on Mr. Bartik's behalf.

6 BY MS. SUSLER:

7 Q. That information was irrelevant to the
8 decision to promote?

9 A. It's not provided to me, and it's not
10 one of the criteria for promotion to the rank of
11 sergeant.

12 Q. So I just want to be clear that I
13 understand what was considered in the decision
14 to promote Mr. Bartik. And if I understood you
15 correctly, it was, he took an exam, he had a
16 rank order on a list, you got to his name on the
17 list, you looked at the complimentary and
18 disciplinary histories and his medical record,
19 and made the decision to promote him?

20 MS. FORDYCE: Objection: Misstates his prior
21 testimony.

22 THE WITNESS: And determined he was a
23 full-duty sergeant not relieved of police powers
24 or in a limited duty capacity; that he had the



1 time in service; that he was an active member of
2 the police department not on a leave of absence.
3 Yes, that's -- that's what I basically looked at.

4 BY MS. SUSLER:

5 Q. Okay. Thank you.

6 Are you aware of whether anyone in the
7 Chicago Police Department has ever reviewed
8 Mr. Bartik's disciplinary record as a whole?

9 MS. FORDYCE: Objection to the form.

10 MR. NATHAN: Object to the form of the
11 question.

12 THE WITNESS: I am certain that people in the
13 police department have reviewed his disciplinary
14 record as a whole, including Commander Klimas
15 and whoever else produced this document for you.

16 BY MS. SUSLER:

17 Q. By this document, what are you
18 referring to?

19 A. His -- The CR files that were in the
20 handouts. It would have been produced by
21 Phyllis Muzupappa at the direction of Commander
22 Klimas. So I'm sure those two members are aware
23 of his CR history.

24 Q. And that review took place because



1 Q. when looking at the CRS in preparation
2 for the deposition with allegations against
3 Mr. Bartik, what patterns, if any, did you see?

4 MS. FORDYCE: Objection: Vague to the term
5 patterns, and not -- this is not the type of
6 information that can reasonably be known to an
7 entity pursuant to 30(b)(6).

8 THE WITNESS: I did not see a pattern. I saw
9 a number of CR numbers over an extended career.
10 And over the past couple of years, I've seen
11 attorneys making allegations against Mr. Bartik,
12 but not a great number or anything that would
13 indicate a pattern for -- I don't -- I didn't
14 see a pattern of allegations.

15 Early in his career, they were standard
16 citizen complaints, not of the same nature, not
17 consistent verbal abuse, not consistent physical
18 abuse, not consistent physical abuse, not
19 consistent -- not consistently the same thing
20 over the course of his early career.

21 And then I did see a number of lawsuits
22 involving Mr. Bartik. And I saw a pattern of
23 attorneys making allegations and not
24 substantiating their allegations to IAD.



1 THE WITNESS: I'm sorry.

2 BY MS. SUSLER:

3 Q. Would it be fair to say a supervisor of
4 a polygraph examiner should -- should be aware
5 of litigation naming Bartik as a defendant where
6 allegations relate to his conduct as a polygraph
7 examiner?

8 MS. FORDYCE: Object to the form.

9 THE WITNESS: It could be. I'm not certain.
10 I mean, these -- these lawsuits tend to involve
11 everybody that has their name on any document.
12 So it doesn't necessarily mean something. If
13 the corporation counsel, upon reviewing this,
14 thinks there's something that needs to be
15 brought to the attention, they would direct that
16 through the Office of Legal Affairs, who would
17 take appropriate steps. And that's how it would
18 be done.

19 But no. It probably would not be
20 appropriate for a supervisor to know every piece
21 of litigation that involves a member under their
22 supervision.

23 MS. SUSLER: Let's mark this as Exhibits 136.
24



1 Cook and Donny McGee?

2 BY MS. SUSLER:

3 Q. Sure.

4 A. Am I aware of any other investigation
5 into those claims? Is that what you're --

6 Q. Are you aware of whether the police
7 department conducted any investigation into
8 those allegations other than Exhibit 137 and, of
9 course, 136?

10 A. No. I am not aware of any other
11 investigation concerning these matters.

12 Q. Have you ever seen any documentation
13 that any supervisory personnel for Mr. Bartik
14 ever took any action or -- ever took any action
15 with respect to these allegations?

16 MS. FORDYCE: Object to the form.

17 THE WITNESS: I have no documentation of any
18 supervisor taking any action based on the
19 attorney's assertions.

20 BY MS. SUSLER:

21 Q. Mr. Bartik testified at his deposition
22 in this litigation that Mr. Lanza's lawsuit
23 settled for maybe \$35,000 that the City paid and
24 that he was never written up or disciplined or



1 sent to retraining as a result of this
2 litigation.

3 I'd like to ask you the same questions
4 I asked you with respect to the McGee IAD
5 investigation. Following the resolution of the
6 lawsuit, are you aware of whether IAD or any
7 other part of the Chicago Police Department
8 conducted any further investigation with respect
9 to Mr. Lanza's claims against Mr. Bartik once
10 that lawsuit was resolved?

11 A. I am not aware of any further
12 investigation that was conducted regarding this
13 2001 incident that was opened up at the
14 direction of the Superintendent after five
15 years. And I am not aware of any other
16 investigation or any other complaints from the
17 attorney or his client.

18 Q. And is it fair to say that the only way
19 this investigation would be reopened by the
20 police department is if the attorney or the
21 plaintiff, Mr. Lanza, asked the police
22 department to do that?

23 A. No. That is not fair to say.

24 Q. Okay. How else would this



APPENDIX 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICOLE HARRIS,

Plaintiff,

v.

**CITY OF CHICAGO, Chicago Police
Officers ROBERT BARTIK, #3078;
DEMOSTHENES BALODIMAS,
#21204, ROBERT CORDARO, #20680,
JOHN J. DAY, #20926, JAMES M.
KELLY, #21121, MICHAEL
LANDANDO, #20417, ANTHONY
NORADIN, #21252, and RANDALL
WO, #20232; Assistant Cook County
State's Attorneys ANDREA GROGAN
and LAWRENCE O'REILLY; and the
COUNTY OF COOK,**

Defendants.

No. 1:14-cv-04391

Hon. John W. Darrah

Hon. Mag. Susan E. Cox

RULE 56(d) DECLARATION OF KYLE L. FLYNN

I, Kyle L. Flynn, state as follows:

1. I am an Associate with the law firm Greenberg Traurig, and represent the City of Chicago in this matter. I have personal knowledge of the facts stated below and with the proceedings in this case and, if called to testify, I would testify in accordance with the following statements.

2. I am providing this Declaration in support of the City of Chicago's Reply in Support of its Motion for Partial Summary Judgment in this case.

3. The document attached to the City's Reply as App. 6, is a true and accurate copy of a screenshot from the website of the Illinois Department of Financial and Professional

Regulation, which demonstrates that Defendant Robert Bartik's polygraph license has at all times been current and that he has never been disciplined.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 29, 2016



Kyle L. Flynn
Attorney

APPENDIX 6

Illinois Department of Financial and Professional Regulation						
Contact						
Name	City/State/Zip	DBA/AKA				
ROBERT A BARTIK	CHICAGO, IL 60656					
Contact Information						
License						
License Number	Description	Status	First Effective Date	Effective Date	Expiration Date	Ever Disciplined
094000452	DETECTION OF DECEPTION EXAMINER	ACTIVE	10/26/1988	03/24/2015	05/31/2017	N
License Information						

APPENDIX 7

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NICOLE HARRIS,

Plaintiff,

VS.

CITY OF CHICAGO, et al.,

Defendants.

No. 14-cv-04391

DEPOSITION OF RICHARD A. LEO, Ph.D., J.D.

San Francisco, California

Monday, March 21, 2016

Volume I

(Page 37 is bound in a separate transcript marked "Confidential.")

Reported by:

CATHERINE A. RYAN, CMR, CRR, CSR No. 8239

1 psychologically coercive, but, correct, a psychologist
2 might come to the conclusion that that's coercive;
3 whereas, a judge may come to a conclusion that it is
4 not.

5 Q I mean -- I apologize if we covered this
6 already, but false evidence plays are legally permitted;
7 right?

8 A They are legally permitted, but they are part
9 of the totality of the circumstances analysis. So a
10 judge could say that's what tipped the scales in the
11 favor of coercion and excluded confession, but if you
12 extract them from their context by themselves, they are
13 not regarded as legally coercive and they are permitted.

14 Q Okay. So just the tactic itself --

15 A Correct.

16 Q Again, my next questions are just for the sake
17 of simplicity. I'm just talking about the tactic
18 itself --

19 A Sure.

20 Q -- of polygraph examining someone. That is
21 not legally coercive by itself?

22 A Correct. That's my understanding.

23 Q And minimizing someone's involvement in the
24 course of an interrogation, that itself is not legally
25 coercive?

1 A If you don't imply leniency, correct, in
2 exchange for a confession.

3 Q Now, some implications of leniency are
4 actually legally permissible; correct?

5 A I'm not sure. I think -- I think there's wide
6 disagreement. What -- what I'm imagining you're asking
7 about is something like the police officer says, "If you
8 confess, we will tell the prosecutor that you
9 cooperated." I think everybody would agree that that is
10 not legally coercive in and of itself, and yet you might
11 say to me, "But doesn't that suggest some kind of
12 leniency that you tell the prosecutor you cooperated?"
13 If that's what you mean --

14 Q Yeah.

15 A -- that would be an example of some slight
16 implications of leniency. They're typically not
17 regarded in law as legally coercive.

18 Q As long as it's not an explicit promise, it's
19 not regarded as a -- strike that.

20 As long as it's not an explicit promise of a
21 quid pro quo, it's not a legally coercive?

22 A That's where we would disagree. I think
23 implicit promises of quid pro quo are legally coercive,
24 but some judges will permit it nonetheless.

25 Q Okay.

APPENDIX 8

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NICOLE HARRIS,)	
)	
Plaintiff,)	
)	
vs.)	No. 14 CV 4391
)	
CITY OF CHICAGO, et al.,)	
)	
Defendants.)	

The videotaped deposition of HECTOR LOPEZ, pursuant to notice and pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before Carmella T. Fagan, C.S.R., R.P.R., Notary Public within and for the County of Cook and State of Illinois, at 1180 North Milwaukee Avenue, Third Floor, in the City of Chicago, Cook County, Illinois, commencing at 10:38 a.m. on the 4th day of November, 2015.

1 I go, "Ma'am, I need all the
2 information I can gather about this whole accident
3 that happened, so, you know, please be patient." And
4 she wasn't too cooperative with me.

5 Q. Well, did you ever ask her any
6 questions?

7 A. Yes, I did.

8 Q. Okay. What did you ask her?

9 A. I asked her where she was at. She
10 said she was at the laundromat.

11 Q. Did you ask her anything else?

12 A. I don't recall. I spent a lot more
13 time with the husband, asking him, engaging him, and
14 he was a lot more was talkative and cooperative with
15 me.

16 Q. What was her demeanor like when she
17 was in the room?

18 A. She was emotional. She just wasn't as
19 emotional as he was. He couldn't seem to stop
20 crying, and, you know, pausing and catching his
21 breath and just, you know, putting his hands on his
22 face and being very upset about the whole situation.

23 Q. Okay. Well, was the wife crying?

24 A. She might have been, but I don't

1 really remember her crying and being as emotional as
2 he was.

3 Q. Well, you said she was emotional. Can
4 you just describe for me how she was emotional?

5 A. She was emotional in a noncooperative
6 way with me. You know, she had indicated to me that
7 she didn't do anything wrong, why am I asking so many
8 questions, and would -- wouldn't answer any more
9 questions that I would ask her. And so I talked to
10 the dad. She says she wasn't there, she was at the
11 laundromat when the incident happened.

12 I had indicated to her that there's
13 more people that are going to ask you questions. I
14 need to find out because I need to make this report,
15 and you're going to get a cop -- you're going to get
16 the RD of -- of this accident that happened. "Your
17 husband said it was an accident, that's what I'm
18 putting it down as," at that moment.

19 Q. And did you take notes of what she
20 said to you as well?

21 A. I might have. I don't remember.

22 Q. Did you note that she was not being
23 cooperative?

24 A. No, I didn't.

APPENDIX 9

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NICOLE HARRIS,)	
)	
Plaintiff,)	
)	
vs.)	No. 14 CV 4391
)	
CITY OF CHICAGO, et al.,)	
)	
Defendants.)	

The videotaped deposition of JOHN DAY,
pursuant to notice and pursuant to the Federal Rules
of Civil Procedure for the United States District
Courts pertaining to the taking of depositions, taken
before Carmella T. Fagan, C.S.R., R.P.R., Notary
Public within and for the County of Cook and State of
Illinois, at 1180 North Milwaukee Avenue, Third
Floor, in the City of Chicago, Cook County, Illinois,
commencing at 10:09 a.m. on the 12th day of November,
2015.

1 remember -- I don't know that that's correct. I kind
2 of think that may have happened, but basically it was
3 just some general information thing.

4 Q. Did you -- do you know who sought that
5 information?

6 A. I don't -- I don't remember.

7 Q. Did you ever look through those DCFS
8 records?

9 A. I don't believe so.

10 Q. And during this interview with Stavon
11 Dancy and Nicole Harris, were they -- were they both
12 talking, like, an equal amount?

13 A. I don't -- that's -- I -- I couldn't
14 judge it as far as equality.

15 Q. Okay. But they were both talking and
16 responding to questions?

17 A. Yeah. Yes.

18 Q. And you testified earlier that at some
19 point you made the decision that Nicole Harris and
20 Stavon Dancy should come back to the station?

21 A. Yes.

22 Q. And why did you make that decision?

23 A. Because of the cause of death, the --
24 what I -- what I -- what I would say is the demeanor

1 of Ms. Harris as opposed to the demeanor -- demeanor
2 of Stavon, the fact that their -- their most brief
3 statement just kind of aroused suspicion.

4 And I don't remember much about the
5 other child at that point, but I knew there was
6 another child in the house, in the family, however
7 you want to describe it. And I -- I -- I wanted to
8 be sure that whatever needed to be done beyond
9 notifying DCFS about the incident would be done.

10 Q. So I'm clear: So one of the reasons
11 you said why you believe Nicole Harris and Stavon
12 Dancy had to come back to Area 5 was the cause of
13 death?

14 A. Right.

15 Q. What about the cause of death made you
16 believe there was need for further investigation?

17 A. Well, it's -- it's -- when one -- when
18 one uses the term "accidental" or "violent," they can
19 be interchangeable even though there's no criminal
20 behavior. Strangulation in and of itself is a
21 violent way to die, even if it's accidental. I
22 wanted further clarification on that.

23 I also, because you have to be
24 prudent, particularly when children are involved, you

1 Q. Again, indirectly?

2 A. Newspaper accounts over, you know,
3 something that is alleged to have happened.

4 Q. But not from a police source?

5 A. No police officer has ever told me
6 that, and no one has ever officially told me that
7 directly.

8 Q. And have you ever observed or
9 witnessed any member of the Chicago Police Department
10 fabricating evidence?

11 A. No.

12 Q. Have you ever reported a member of the
13 Chicago Police Department for any misconduct?

14 A. Yes.

15 Q. What -- under what circumstances?

16 A. Well, I'll make this as -- as brief as
17 possible. While -- while working a 17th District
18 Tactical Unit, we stumbled upon a major auto theft
19 ring that was operating between the states of
20 Indiana, Wisconsin, Illinois, and internationally.
21 It was -- it was a very sophisticated operation.

22 During an interview with a -- a
23 primary suspect who happened to have a handful of
24 blank titles from Indiana, during an interview with

APPENDIX 10

1 Q. I'm just --

2 A. From all the information I gathered. I
3 don't -- I don't exactly remember what they told
4 me, but the information I learned.

5 Q. So the time you first talked to
6 Ms. Harris, you did not believe it could have
7 been an accident because of the evidence you had
8 about beating the child and something that
9 Detective Noradin told you, but you don't
10 remember what?

11 MR. KAMIONSKI: Objection: Asked and
12 answered.

13 THE WITNESS: Yes.

14 BY MS. KLEIN:

15 Q. Did you know anything else before you
16 talked to Ms. Harris about the case?

17 A. No.

18 Q. Did you listen to the 911 tapes?

19 A. You asked me that. No.

20 Q. Sorry.

21 Did you have any knowledge of any 911
22 tapes?

23 A. No.

24 Q. Actually, I asked you if you listened



APPENDIX 11

IN THE UNITED STATES DISTRICT COURT
NORTHERN FOR THE DISTRICT OF ILLINOIS
EASTERN DIVISION

NICOLE HARRIS,)	
)	
Plaintiff,)	
)	
vs.)	No. 14 CV 4391
)	
CITY OF CHICAGO, et al.,)	
)	
Defendants.)	

The videotaped deposition of ROBERT CORDARO,
pursuant to notice and pursuant to the Federal Rules
of Civil Procedure for the United States District
Courts pertaining to the taking of depositions, taken
before Carmella T. Fagan, C.S.R., R.P.R., Notary
Public within and for the County of Cook and State of
Illinois, at 1180 North Milwaukee Avenue, Third
Floor, in the City of Chicago, Cook County, Illinois,
commencing at 10:17 a.m. on the 30th day of November,
2015.

1 Q. Did you discuss anything about a bond
2 with Ms. Harris?

3 A. No.

4 Q. Did you hear anyone say that if
5 Ms. Harris gave a statement, she could fight the case
6 from outside on bond?

7 A. No.

8 Q. And you never told her if she got out
9 on bond, she could fight her case from the outside?

10 A. No.

11 Q. Have you ever told any suspect that if
12 they gave a statement, their bond would be lower?

13 A. No.

14 Q. Have you ev -- would that be proper to
15 tell a suspect, that if they gave a statement, their
16 bond would likely be lower?

17 A. No, it wouldn't be proper.

18 Q. And why not?

19 A. I don't know. I think it compromises
20 the investigation.

21 Q. And have you ever told a suspect that
22 once released on bond, that they could better fight
23 their case or --

24 A. No.

APPENDIX 12

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF ILLINOIS

3 EASTERN DIVISION

4 NICOLE HARRIS,)

5 Plaintiff,)

6 v.) No. 14-cv-4391

7 CITY OF CHICAGO; Chicago)

8 Police Officers ROBERT BARTIK,)

9 DEMOSTHENES BALODIMAS, ROBERT)

10 CARDARO, JOHN J. DAY, JAMES M.)

11 KELLY, ANTHONY NORADIN, and)

12 RANDALL WO; Assistant Cook)

13 County State's Attorneys)

14 ANDREA GROGAN and LAWRENCE)

15 O'REILLY, and THE COUNTY OF COOK,))

16 Defendants.)

17
18 The video deposition of JAMES K. HICKEY, called
19 for examination pursuant to the Rules of Civil
20 Procedure for the United States District Courts
21 pertaining to the taking of depositions, taken
22 before Tracy Jones, a Certified Shorthand Reporter
within and for the County of Cook and State of
Illinois, at 1180 North Milwaukee Avenue,
4th Floor, Chicago, Illinois, on the 21st day of
January, 2016, at the hour of 9:18 o'clock a.m.

23 Reported by: Tracy Jones, CSR, RPR, CLR

24 License No.: 084-004553



1 A. It's different schools which are
2 license -- which issue the license for the
3 polygraph examiners.

4 Q. The schools issue the licenses?

5 A. No. The State of Illinois issues
6 licenses for those who have attended accredited
7 polygraph schools.

8 Q. What, if anything, did the Chicago
9 Police Department do at any time in the history
10 of having polygraph examiners work for the
11 police department to determine whether the
12 polygraph schools attended by those people were
13 accredited?

14 MS. FORDYCE: Okay. Objection to the form
15 and objection to the extent you're asking him
16 information beyond the temporal scope of the
17 30(b)(6) notice.

18 MS. SUSLER: Fine. I'm happy to limit it to
19 the scope of the notice, which was 1998 to the
20 present.

21 BY MS. SUSLER:

22 Q. Do you remember the question?

23 A. Chicago Police Department does not
24 review the accreditations of schools except in



1 one matter. I think tuition reimbursement, they
2 want schools to be accredited by the various
3 regional accreditations organizations as a
4 criteria for tuition reimbursement.

5 Q. Other than for purposes of tuition
6 reimbursement, are you aware of what, if
7 anything, the police department does to
8 determine whether the schools attended by
9 polygraph examiners who work for the Chicago
10 Police Department are accredited?

11 A. I am not aware of anything.

12 Q. And is what you're saying about the
13 tuition reimbursement, is that documented
14 somewhere?

15 A. Yes, it is.

16 Q. Where?

17 A. We have a directive on the topic of
18 tuition reimbursement.

19 Q. And that says where it would be
20 documented what the police department did to
21 determine whether the schools to which they
22 provided tuition reimbursement were
23 accredited --

24 MS. FORDYCE: Objection to the form.



1 which might affect the Polygraph Unit to change
2 something, such as electronic recorded
3 interrogations was a State law intended to
4 videotape the interrogation of those being
5 investigated for murder violations, but it also
6 spilled over into those conducting the
7 investigations through polygraph if, in fact, it
8 was a homicide investigation.

9 So that would be an example where Legal
10 Affairs would inform members -- select members
11 of the police department, there's been a change;
12 there's something you need to know about.

13 BY MS. SUSLER:

14 Q. What, if anything -- well, let me ask
15 it this way first: Who -- who, if anyone, in
16 the police department was responsible for
17 determining whether the Polygraph Unit and its
18 examiners complied with State law other than
19 leaving it to the individual polygraph examiner
20 to meet his or her professional
21 responsibilities?

22 MS. FORDYCE: Objection to the form; asked
23 and answered; misstates prior testimony.

24 THE WITNESS: The supervisors of the



1 Polygraph Unit would have some supervisory
2 responsibility if it was something they had
3 observed that might be a deviation from a State
4 law or department policy.

5 BY MS. SUSLER:

6 Q. What did the police department do to
7 determine whether the supervisors of the
8 Polygraph Unit had any knowledge about State law
9 with respect to polygraph?

10 A. Again, if there is a legally mandated
11 change, it is communicated from the Legal
12 Affairs office of the police department.

13 MS. FORDYCE: I need to take a quick,
14 five-minute break.

15 MS. SUSLER: All right.

16 THE VIDEOGRAPHER: Off the record, 10:13.

17 (Whereupon, a short break was
18 taken.)

19 (Whereupon, the record was read
20 as requested.)

21 THE VIDEOGRAPHER: Back on the record, 10:21.

22 BY MS. SUSLER:

23 Q. Mr. Hickey, other than being notified
24 through some sort of general order, as you gave



APPENDIX 13

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NICOLE HARRIS,)	
)	
Plaintiff,)	
)	
vs.)	No. 14 CV 4391
)	
CITY OF CHICAGO, et al.,)	
)	
Defendants.)	

The deposition of ROBERT BARTIK, pursuant to notice and pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before Carmella T. Fagan, C.S.R., R.P.R., Notary Public within and for the County of Cook and State of Illinois, at 1180 North Milwaukee Avenue, Third Floor, in the City of Chicago, Cook County, Illinois, commencing at 10:12 o'clock a.m. on the 24th day of November, 2015.

1 was behavioral techniques, there was physiology. We
2 had to do so many classroom hours of all of the -- of
3 all the different criteria, and then we had to also
4 administer -- at that time, we had to administer 125
5 supervised polygraph examinations in order to be able
6 to be qualified to sit for the examination to become
7 licensed.

8 Q. It was a written test?

9 A. Yes.

10 Q. Was there an oral test?

11 A. No.

12 Q. Did you have to perform a polygraph
13 examination as part of the testing process to get
14 your license?

15 A. No.

16 Q. What's the criteria, if you know, for
17 the renewal of your license other than paying a fee
18 to the --

19 A. There is none.

20 Q. -- state?

21 You just have to pay a fee?

22 A. Yes, ma'am.

23 Q. So no criteria for the renewal?

24 A. No.

1 Q. There's no continuing education
2 requirement?

3 A. No.

4 Q. Are there any requirements in the
5 licensing law in the State of Illinois about how you
6 must conduct and score polygraph tests?

7 A. I don't know.

8 Q. Okay. And how about if I ask you that
9 as of 2005? If you know, were there any requirements
10 in the licensing law about how you had to conduct or
11 score polygraph testing?

12 A. That, I don't know.

13 Q. Are there any requirements about what
14 documentation you must maintain and for how long?

15 A. I believe we have to -- and I'm -- I'm
16 just guessing. I believe it's we have to keep the
17 charts, and I believe it's for a matter of five
18 years.

19 Q. And is that a Chicago Police
20 Department requirement or a State of Illinois
21 requirement?

22 A. I believe it's the State of Illinois.

23 Q. Have you had any discipline in rel --
24 in relation to your license of -- for detection of

1 Q. So --

2 A. I do apologize.

3 Q. Well, I mean --

4 A. I -- I know better.

5 Q. -- you know, we're just getting
6 started --

7 A. I know.

8 Q. -- so let's go back over that. I was
9 interested in knowing who in the Chicago Police
10 Department asked you to go and get this training
11 certificate.

12 A. My supervisors at the Forensic
13 Services Division.

14 Q. Who were?

15 A. At the time was Ja -- Lieutenant Jack
16 Huels and Commander Mary West.

17 Q. All right. Did they do that in
18 writing?

19 A. No, ma'am.

20 Q. It just -- was just a verbal thing --

21 A. Yes, ma'am.

22 Q. -- they approached you and said, "You
23 need to go and get this training certificate."

24 A. Yes.

1 Q. So --

2 A. I do apologize.

3 Q. Well, I mean --

4 A. I -- I know better.

5 Q. -- you know, we're just getting
6 started --

7 A. I know.

8 Q. -- so let's go back over that. I was
9 interested in knowing who in the Chicago Police
10 Department asked you to go and get this training
11 certificate.

12 A. My supervisors at the Forensic
13 Services Division.

14 Q. Who were?

15 A. At the time was Ja -- Lieutenant Jack
16 Huels and Commander Mary West.

17 Q. All right. Did they do that in
18 writing?

19 A. No, ma'am.

20 Q. It just -- was just a verbal thing --

21 A. Yes, ma'am.

22 Q. -- they approached you and said, "You
23 need to go and get this training certificate."

24 A. Yes.

APPENDIX 14

/ **IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICOLE HARRIS,

Plaintiff,

v.

**CITY OF CHICAGO, Chicago Police
Officers ROBERT BARTIK, #3078;
DEMOSTHENES BALODIMAS,
#21204, ROBERT CORDARO, #20680,
JOHN J. DAY, #20926, JAMES M.
KELLY, #21121, MICHAEL
LANDANDO, #20417, ANTHONY
NORADIN, #21252, and RANDALL
WO, #20232; Assistant Cook County
State's Attorneys ANDREA GROGAN
and LAWRENCE O'REILLY; and the
COUNTY OF COOK,**

Defendants.

No. 1:14-cv-04391

Hon. John W. Darrah

Hon. Mag. Susan E. Cox

DECLARATION OF ERIC WINSTROM

I, Eric Winstrom, state as follows:

1. I am a Sergeant with the Chicago Police Department ("CPD") and I currently work in the Office of the General Counsel where I supervise the Discovery Unit.

2. I am providing this Declaration in support of the City of Chicago's Reply in Support of its Motion for Partial Summary Judgment in *Harris v. City of Chicago*. Through my capacity supervising the Discovery Unit of the Office of the General Counsel, I possess personal knowledge of the matters set forth herein and, if called to testify, I would testify in accordance with the following statements.

3. The spreadsheet attached as App. 15, bearing Bates labels CITY15878-15878_106, is a true and accurate copy of the list of CPD criminal polygraph examinations that occurred from November, 1999 to May, 2013. The spreadsheet has been redacted for privacy purposes but it was produced in its entirety to Harris.

4. The Discovery Unit oversaw the production of all Complaint Registers filed against Defendant Robert Bartik, produced in this case. A total of six of those Complaint Registers pertained to incidents that occurred during Bartik's employment in the CPD Polygraph Unit.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 29, 2016

A handwritten signature in black ink, appearing to read 'EW', is written over a horizontal line.

Eric Winstrom
Office of the General Counsel
Supervising Attorney - Discovery Unit